UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

EBATES PERFORMANCE MARKETING, INC. d/b/a RAKUTEN REWARDS and CARTERA COMMERCE, INC.,	Case No.: 5:20-cv-04768-LHK Defendant's Exhibit
011111111111111111111111111111111111111) In Support of Motion to Dismiss
Plaintiffs,)))
vs.	
MyMail, Ltd.,)))
Defendant.))

DEFENDANT'S EXHIBIT IN SUPPORT OF MOTION TO DISMISS COMPLAINT

EXHIBIT B

Christopher Michaels

michaels@bpmlegal.com From: Sent: Thursday, July 16, 2020 6:53 PM To: raskinj@gtlaw.com Cc: KassenoffA@gtlaw.com **Subject:** Re: Rakuten v. MyMail Josh: You requested as a courtesy that we hold off accusing your client's other customers and in good faith we did so. You called me several times to make sure we understood your communications in context and to assure me that your client wished to pursue licensing rather than litigation. It seems that your objective was to buy time to go to litigate in a forum of your choosing. We have learned from your client's actions to date. I wonder what your client is to learn about US litigation. Good luck. Chris Christopher A. Michaels Brown & Michaels, PC 4th Floor M&T Bank Building 118 North Tioga Street Ithaca, NY 14850 (607) 256-2000 (office) (607) 256-3628 (fax) www.bpmlegal.com On Jul 16, 2020, at 6:31 PM, "raskinj@gtlaw.com" <raskinj@gtlaw.com> wrote: Dear Chris, Attached is a courtesy copy of a complaint filed today by Rakuten Rewards and Cartera against MyMail in ND Cal. Please let me know if/when you are available next week to discuss. I am generally available on Tuesday and Wednesday. Thanks,

Joshua L. Raskin

Josh

Shareholder; Chair, NY IP & Technology Group

Greenberg Traurig, LLP MetLife Building | 200 Park Avenue | New York, NY 10166 T +1 212.801.6930

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Defendant's Exhibit B 8/17/2020

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<2020.07.16 [001] Complaint for Declaratory Judgment of Noninfringement of Patent.pdf>